

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTH DAY — WEDNESDAY, JANUARY 22, 2003

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 10).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Brown, B.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter (vote changed on January 27, House Journal page 164); Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Rangel; Raymond; Reyna; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Solis; Solomons; Stick; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Deshotel; Riddle.

Absent — Branch; Brown, F.; Luna; Smithee; Swinford.

The invocation was offered by Reverend Al Hancock, Country Gospel Radio Show, Lufkin, as follows:

Our Father in heaven, we come before you with a deep sense of gratitude, thanksgiving, and humility on this historical day of the convening of the 78th Legislature of our great State of Texas. We ask for your continued blessings of wisdom and divine guidance upon this distinguished body of men and women who represent the many diverse districts of our state. In their coming together, each session, we pray for your grace in their travels and for your watch and care over their families. As they represent the people, may they remember the wisdom of your counsel. In the words of Solomon in Proverbs 22:2, "The rich and poor meet together: The Lord is the maker of them all."

We pray your guiding hand to be with Governor Rick Perry, Lieutenant Governor David Dewhurst, and Speaker Tom Craddick as they lead and govern. We offer up a special prayer for President George W. Bush and his cabinet and that your richest blessings would be upon our military and their families.

Father, may we take much comfort in the words of the psalmist, in Psalms 121:4, "Behold, He that keepeth Israel shall never slumber nor sleep." We pray thee, "God bless America, stand beside her and guide her, through the night with a light from above. From the mountains, to the prairies, to the ocean, white with foam. God bless America, my home sweet home." May God truly bless America and God bless Texas. In the name of our lord Jesus Christ. Amen.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of a death in the family:

Riddle on motion of Hughes.

The following member was granted leave of absence for today because of important business in the district:

Deshotel on motion of Ritter.

CAPITOL PHYSICIAN

The speaker recognized Representative Rose who presented Dr. Charles Mason Von Henner of San Marcos as the "Doctor for the Day."

The house welcomed Dr. Von Henner and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(F. Brown now present)

(Delisi in the chair)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of family business:

Reyna on motion of Denny.

(Branch and Swinford now present)

HR 42 - ADOPTED (by Raymond and Guillen)

Representative Raymond moved to suspend all necessary rules to take up and consider at this time **HR 42**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 42, Commemorating the 2003 Washington's Birthday Celebration in Laredo.

HR 42 was read and was adopted without objection.

On motion of Representative Guillen, the names of all the members of the house were added to **HR 42** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Raymond, who introduced Janice Gallagher Gonzalez, portraying Martha Dandridge; Aladar Deutsch, portraying George Washington; Natalie A. Notzon and Sabas Zapata, IV, portraying the Abrazo children representing the United States; Rebeca Edith Santana Giron and Juan Eduardo Guarneros Peña, portraying the Abrazo children representing Mexico; Yemile Guerra, portraying Princess Pocahontas; Alejandro Garza, portraying White Eagle, Chief of the Painted Forest; and Mr. South Texas 2003, Drs. Francisco and Ricardo Sigarroa.

(Smithee now present)

HR 43 - ADOPTED (by Mercer, et al.)

Representative Mercer moved to suspend all necessary rules to take up and consider at this time **HR 43**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 43, Recognizing January 22, 2003, as St. Mary's University Day at the State Capitol.

HR 43 was read and was adopted without objection.

On motion of Representative Hunter, the names of all the members of the house were added to **HR 43** as signers thereof.

HR 29 - ADOPTED (by F. Brown)

Representative F. Brown moved to suspend all necessary rules to take up and consider at this time **HR 29**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 29, Recognizing the TALL VIII class of the Texas Agricultural Lifetime Leadership program.

HR 29 was read and was adopted without objection.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of family business:

Luna on motion of Phillips.

HR 26 - ADOPTED
(by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 26**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 26, Recognizing January 22, 2003, as Nacogdoches County Day at the Capitol.

HR 26 was read and was adopted without objection.

HR 27 - ADOPTED
(by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 27**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 27, In memory of Margaret Williams Hume of Nacogdoches.

HR 27 was read and was unanimously adopted by a rising vote.

HR 38 - ADOPTED
(by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 38**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 38, Recognizing January 22, 2003, as Stephen F. Austin State University Student Government Association and Alumni Association Day at the State Capitol.

HR 38 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The chair recognized Representative B. Brown, who introduced Eddie Deen, owner of Ranch Hand Barbecue, who catered the inaugural barbecue, his wife Allison, and daughter Abigail.

HR 14 - ADOPTED
(by Pickett)

Representative Pickett moved to suspend all necessary rules to take up and consider at this time **HR 14**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 14, Recognizing Robert K. Hudnall, J.D., of El Paso for his many publications.

HR 14 was read and was adopted without objection.

On motion of Representative Pitts, the names of all the members of the house were added to **HR 14** as signers thereof.

ADJOURNMENT

Representative Y. Davis moved that the house adjourn until 10 a.m. tomorrow in memory of Maria C. Molina, grandmother of Representative Luna.

The motion prevailed without objection.

The house accordingly, at 10:54 a.m., adjourned until 10 a.m. tomorrow.

